

CITY OF JERSEY CITY

280 Grove Street
Jersey City, New Jersey 07302



Robert Byrne, R.M.C., City Clerk
Sean J. Gallagher, R.M.C., Deputy City Clerk
Irene G. McNulty, Deputy City Clerk



Rolando R. Lavarro, Jr., Councilperson-at-Large
Daniel Rivera, Councilperson-at-Large
Joyce E. Watterman, Councilperson-at-Large
Frank Gajewski, Councilperson, Ward A
Chris L. Gadsden, Councilperson, Ward B
Richard Boggiano, Councilperson, Ward C
Michael Yun, Councilperson, Ward D
Candice Osborne, Councilperson, Ward E
Jermaine D. Robinson, Councilperson, Ward F

Agenda Regular Meeting of the Municipal Council Wednesday, February 22, 2017 at 6:00 p.m.

Please note: The next caucus meeting of Council is scheduled for Monday, March 6, 2017 at **5:30 p.m.** in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is scheduled for Wednesday, March 8, 2017 at **6:00 p.m.** in the Anna and Anthony R. Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room, City Hall.

1. (a) **INVOCATION:**
- (b) **ROLL CALL:**
- (c) **SALUTE TO THE FLAG:**
- (d) **STATEMENT IN COMPLIANCE WITH SUNSHINE LAW:**

City Clerk Robert Byrne stated on behalf of the Municipal Council. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Wednesday, November 23, 2016, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2017.

The Agenda of this meeting was disseminated on **Thursday, February 16, 2017 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

All items listed on the meeting calendar with an asterisk (or asterisks) are considered routine by the municipal council and will be enacted by one motion (and roll call) without separate discussion of each item. If discussion is desired on any item and permitted by the council, that item will be considered separately.

Consent Agenda adopted by Ordinance J-636 and supplemented by Ordinance C-248.

Please understand that all documents listed in the consent agenda are available for public perusal at this meeting.

*3.	ORDINANCE HEARING	FIRST READING	CITY CLERK FILE
a.	A Franchise Ordinance vacating a portion of Dey Street		Ord. 17-006
b.	An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) amending Section 332-5 (One-Way Streets) of the Jersey City Code designating Kearney Avenue from Ocean Avenue to Martin Luther King Drive as a one way west.		Ord. 17-018
c.	An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-9 (Stop Intersections) of the Jersey City Traffic Code designating the intersections of Carlton Avenue and Montrose Avenue; Congress Street and New York Avenue; and Manila Avenue and Second Street as multi-way stop intersection.		Ord. 17-019
d.	Ordinance accepting from CPA 99 Hudson, LLC., a dedication of certain roadways, sidewalks and utilities within the Hudson Street right of way.		Ord. 17-020
e.	Ordinance supplementing Chapter A351 (Executive Order and Ordinances) of the Jersey City Code to create a new classified position for Program Development Specialist 3.		Ord. 17-021
f.	Ordinance amending and supplementing Chapter 245 (Peddling, Soliciting and Canvassing) Articles I, II and III, of the Jersey City Municipal Code.		Ord. 17-022
g.	An ordinance of the City of Jersey City in the County of Hudson, State of New Jersey, authorizing the transfer of certain city-owned real property, identified on the tax map of the City of Jersey City as Block 21504, Lot 6, to the Jersey City Redevelopment Agency (65 Phillip Street).		Ord. 17-023

*4.	ORDINANCE HEARING	SECOND READING	CITY CLERK FILE
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| Introduced-9-0- | a. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-22 (Parking Prohibited at All Times) of the Jersey City Code designating 119 feet on the south side of Eighteenth Street beginning at Jersey Avenue as No Parking Anytime; amending Section 332.25(No Parking Certain Hours) designating 40 feet of No Parking 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m., Monday through Friday for the Viaquenti Day School (Entrance on Eighteenth Street) and amending Section 332-48 (Designation of Parking Spaces) designating the south side of Seventeenth Street and the north side of Eighteenth Street between Jersey Avenue and Coles Street as On-Street metered parking. | Ord. 17-016
Intro. 02.08.17 |
| Introduced-9-0- | b. | A Franchise Ordinance granting permission to 207 Van Vorst Street Realty Company LLC, its successors and assigns, to make private improvements in the Sussex Street right of way north of Van Vorst Street adjacent to property located at 193-197-213 Van Vorst Street, Van Vorst Street and Marin Boulevard, Jersey City, New Jersey, also known on the tax maps of the City of Jersey City as Block 14205, Lots 14.02, 15, 16, 17.01 and 18. | Ord. 17-017
Intro. 02.08.17 |

**** 5.**

PUBLIC REQUEST FOR HEARING

1. LaVern Washington
2. Yvonne Balcer

NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE OFFICE OF THE CITY CLERK

****6. PETITIONS AND COMMUNICATIONS**

- a. Minutes of the Employees Retirement System of Jersey City held January 18, 2017.
- b. Agenda of the Employees Retirement System of Jersey City held February 15, 2017.
- c. Letter dated February 7, 2017 from Maria Kaouris, Remediation Manager, Honeywell to Ms. Kirstin Pointin-Hahn, Bureau of Case Assignment & Initial Notice NJDEP Site Remediation Program re: Remedial Action Protectiveeess/Biennial Certification Form - Ground Water, Hudson County Chromate Site, 154 College Tower Apartments, 37 College Drive, Jersey City.
- d. Letter dated February 6, 2017 from Richard Harry, Project Manager Atlantic Environmental Solutions, Inc., to Bureau of Case Assignment & Initial Notice re: Remedial Action Permit -Soil-Biennial Certification, 109 Port Jersey Boulevard, LLC, Jersey City.
- e. Letter dated February 3, 2017 from Tan-Yueh Chang, LSRP, GES to Department of Environmental Protection re: Classification Exception Area-Historic Fill, former Exxon Service Station #3-2711, 342 Johnston Avenue, Jersey City.
- f. Letter dated February 3, 2017 from Yacoub Yacoub, Unregulated Heating Oil Tank Program to Jason Solowsky, 83 Monitor Street, LLC: One 550 gallon #2 heating oil underground storage tank system, 83 Monitor Street, Jersey City.
- g. Letter dated February 13, 2017 from Sandra Blick, Hydrology & Hydraulics Unit, State of New Jersey, to Robert Byrne, City Clerk re: Public Notice for NJDEP Permit Application for Individual Flood Hazard Area Permit, RT 1&9, Pulaski Skyway Rehabilitation: Contracts 5&7, City of Jersey City.
- h. Jersey City Municipal Utilities Authority Minutes of the Board of Commissioners Meeting held January 25, 2017.
- i. Letter dated February 10, 2017 from John J. Ficara, Acting Director Division of Taxation to Robert Byrne, City Clerk re: Executed contract for the revaluation of all real property in the Jersey City performed by Appraisal Systems, Inc.

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
OFFICE OF THE CITY CLERK**

****7. OFFICERS COMMUNICATIONS**

NONE

02.22.17

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
OFFICE OF THE CITY CLERK**

****8. REPORT OF DIRECTORS**

NONE

02.22.17

****9. CLAIMS**

- A. City Clerk
- B. Mayor's Office
- C. Tax Assessor
- D. Department of Administration
- E. Department of H.E.D. & C
- F. Department of Health & Human Services
- G. Department of Human Resources
- H. Department of Public Safety
- I. Department of Public Works
- J. Department of Recreation

****10. RESOLUTIONS****CITY CLERK
FILE #**

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| a. | Resolution authorizing an Emergency Temporary Appropriation. | Res. 17-137 |
| b. | Resolution amending Calendar Year 2016 Appropriation Reserve Transfers. | Res. 17-138 |
| c. | Resolution (1) Introducing and approving the 2017 budget of the Jackson Hill Main Street Special Improvement District; (2) Directing the City Clerk to publicly advertise the budget and schedule a public hearing; and (3) Directing the Tax Assessor to prepare an assessment roll of properties within the district based upon the budget. | Res. 17-139 |
| d. | Resolution authorizing the renewal of a shared services agreement pursuant to the Uniformed Shared Services Consolidation Act, <u>N.J.S.A.</u> 40A:65-1 et seq., for the City of Jersey City to provide Off-Duty Police Services to the Jersey City Housing Authority. | Res. 17-140 |
| e. | Resolution authorizing the City of Jersey City Department of Health and Human Services to accept grants funds from New Jersey Health Care Quality Institute to be used for efforts towards community health programming. | Res. 17-141 |
| f. | Resolution authorizing the submission of a grant application and the execution of a grant agreement with the New Jersey Department of Transportation for the 2017 Bikeways Program to fund the Bikeability Initiative Project for the City of Jersey City. | Res. 17-142 |
| g. | Resolution authorizing the submission of a grant application and the execution of a grant agreement with the New Jersey Department of Transportation for the 2017 Municipal Aid Program to fund roadway improvements for the City of Jersey City. | Res. 17-143 |
| h. | Resolution authorizing the submission of a grant application and the execution of a grant agreement with the New Jersey Department of Transportation for the 2017 Transit Village Program for the City of Jersey City. | Res. 17-144 |
| i. | Resolution authorizing the submission of a grant application and the execution of a grant agreement with the New Jersey Department of Transportation for the 2017 Safe Streets to Transit Program for the City of Jersey City. | Res. 17-145 |
| j. | Resolution authorizing a grant application to the New Jersey Department of Law and Public Safety, New Jersey Division of Highway Traffic Safety for the Distracted Driving 2017 Grant. | Res. 17-146 |

****10. RESOLUTIONS****CITY CLERK
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| k. | Resolution authorizing the extensions of existing contracts with insurance brokerage firms until March 31, 2017. | Res. 17-147 |
| l. | Resolution authorizing the payment of a claim submitted by Tomahawk Defense, LLC., for providing as Prevention and Response/Marksanship Training to the Department of Public Safety (Police). | Res. 17-148 |
| m. | Resolution ratifying an agreement with Network Management Solutions, Inc. For the support of proprietary computer hardware and software. | Res. 17-149 |
| n. | Resolution authorizing the City to award a contract to Aurico Reports, Inc., for background check services. | Res. 17-150 |
| o. | Resolution authorizing the award of a contract with Avidxchange, Inc., for the Jersey Energy Tracking and Bill Management System under state contract without public bidding. | Res. 17-151 |
| p. | Resolution authorizing an agreement with H&L Systems, Inc., for the support of proprietary computer software. | Res. 17-152 |
| q. | Resolution authorizing an award of a contract to Affordable Interior Systems for the purchase, delivery and installation of office furniture under state contract for the 2 nd Floor office renovations at 384 Central Avenue (Phase III, Project 2014-028) for the Department of Administration, Division of Architecture. | Res. 17-153 |
| r. | Resolution authorizing an award of contract to OFS Brands, Inc., for the purchase & delivery of furniture for the 2 nd floor office renovations at 384 Central Avenue (Phase III, Project 2014-028) through the National Cooperative Purchasing Network for the Department of Administration, Division of Architecture. | Res. 17-154 |
| s. | Resolution authorizing the award of a contract to Kova Corporation for maintenance agreement of the Analog Recording System under state contract for the Department of Public Safety, Division of Police. | Res. 17-155 |
| t. | Resolution authorizing the award of a contract to Tomahawk Defense, LLC., for the purchase and delivery of EOTech EXPS3-0 Holographic Sight for the Department of Public Safety, Division of Police. | Res. 17-156 |
| u. | Resolution authorizing the award of a contract to Dennis J. McSweeney for monthly K-9 Training and evaluations for the Department of Public Safety, Division of Police. | Res. 17-157 |

****10. RESOLUTIONS****CITY CLERK
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| v. | Resolution authorizing an award of a contract to Gold Type Business Machines for the purchase and installation of the ZETRON Alerting System under state contract for the Department of Public Safety, Division of Police. | Res. 17-158 |
| w. | Resolution authorizing an award of contract to Turn-Out Fire & Safety, Inc., for the purchase and delivery of protective gear and Equipment under state contract for the Department of Public Safety, Division of Fire. | Res. 17-159 |
| x. | Resolution authorizing the award of a contract to Minerva Bunker Gear for the cleaning, decontamination, inspection and repair of all firefighting protective gear accessories for the Department of Public Safety, Division of Fire. | Res. 17-160 |
| y. | Resolution authorizing an amendment to a contract with PricewaterhouseCoopers Public Sector, LLP., to provide program management and related services for various programs administered by the February 16, 2017ivision of Community Development. | Res. 17-161 |
| z. | Resolution authorizing the renewal of a professional services agreement with Apruzzese, McDermott, Mastro & Murphy to represent the City of Jersey City in negotiations with the Jersey City Firefighters Local 1066 contract. | Res. 17-162 |
| z1. | Resolution reauthorizing the renewal and amendment of a professional services agreement with Charles Montange, Esq., to provide legal Counsel regarding Conrail's abandonment of the 6 th Street Embankment. | Res. 17-163 |
| z2. | Resolution amending Resolution no. 16.621 that awarded a professional services agreement with Riker, Danzig, Sherer, Hyland & Perretti, LLP. | Res. 17-164 |
| z3. | Resolution awarding a professional services agreement to Andrew C. Abrams, Esq., Attorney at Law of the State of New Jersey to serve as Chief Municipal Public Defender in the Jersey City Municipal Court in additional to performing his duties as a public defender for the 2017 Calendar Year. | Res. 17-165 |
| z4. | Resolution awarding professional services agreements to Attornies at Law in the State of New Jersey to serve as Public Defenders in the Jersey City Municipal Court for Calendar Year 2017. | Res. 17-166 |

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| z5. | Resolution authorizing the execution of a mortgage subordination agreement affecting the property known as 2022 Kennedy Boulevard a/k/a Block 23001, Lot 7. | Res. 17-167 |
| z6. | Resolution authorizing an award of a contract to Spin Cube Inc., for the purchase, delivery and installation of computer equipment for the Department of Public Safety, Division of Police through the National Cooperative Purchasing Alliance. | Res. 17-168 |
| z7. | Resolution amending an extraordinary unspecifiable services agreement with Claims Resolution Corporation, Inc. | Res. 17-169 |
| z8. | Resolution amending a professional services agreement with Strulowitz & Gargiulo Physical Therapy & Rehabilitation. | Res. 17-170 |
| z9. | Resolution amending a professional services agreement with Apruzzese, McDermott, Mastro & Murphy. | Res. 17-171 |
| z10. | Resolution amending a professional services agreement with Apruzzese, McDermott, Mastro & Murphy. | Res. 17-172 |
| z11. | Resolution amending a professional services agreement with Budd Larner, PC. | Res. 17-173 |
| z12. | Resolution amending a professional services agreement with Calcagni & Kanefsky. | Res. 17-174 |
| z13. | Resolution amending a professional services agreement with Calcagni & Kanefsky. | Res. 17-175 |
| z14. | Resolution amending a professional services agreement with Riker, Danzig, Scherer, Hyland & Perritti, LLP. | Res. 17-176 |
| z15. | Resolution amending a professional services agreement with Eric M. Bernstein & Associates. | Res. 17-177 |
| z16. | Resolution amending a professional services agreement with the law firm of Spiro, LLC. | Res. 17-178 |
| z17. | Resolution amending a professional services agreement with Calcagni & Kanefsky. | Res. 17-179 |
| z18. | Resolution amending a professional service agreement with Florio, Kenny, Raval, LLP. | Res. 17-180 |

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

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| z19. | Resolution authorizing the renewal of a professional services agreement with Florio, Kenny, Raval, LLP., to represent James Shea, Director of Public Safety; Phillip Zacche, Chief of Police and Joseph Connors, Deputy Chief of Police in the matter of Kelly Chesler, et al v. City of Jersey City et al and amending Resolution 15.659. | Res. 17-181 |
| z20. | Resolution authorizing the renewal of a professional services agreement with Riley & Riley to represent Police Officer Ray Weber in the matter of Stefan Mitchell v. City of Jersey City et al and amending Resolution 15.807. | Res. 17-182 |
| z21. | Resolution authorizing the renewal and amendment of a professional services agreement with Cleary, Giacobbe, Alfieri, Jacobs, LLC., to represent the City of Jersey City and former Mayor Jermiah Healy in the matter of Astriab v. City of Jersey City et al. | Res. 17-183 |

11. DEFERRED OR TABLED AGENDA AS OF FEBRUARY 22, 2017

- a. Ordinance# 14.025 Ordinance amending and supplementing Chapter 122 (Circuses, Carnivals and Public Assemblages) of the City of Jersey City Municipal Code. Tabled-8-0- prior to the close of the public hearing at the 03.12.14 meeting on motion by Councilperson Ramchal, seconded by Councilperson Yun, Councilperson Watterman: absent.
- b. Ordinance# 14.083 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) of the Jersey City Municipal Code. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on motion by Councilperson Coleman seconded by Councilperson Ramchal.
- c. Ordinance# 14.084 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) Sub-Article I (Division of Police) of the Jersey City Municipal Code establishing a Table of Organization. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Ramchal.
- d. Ordinance# 14.099 Ordinance authorizing the City of Jersey City to enter into a lease agreement as lessee with Jersey City Municipal, LLC as lessor for office space to be constructed at the HUB on an approximately 0.556 acre portion of Lot 17, Block 21201 intersection of Kearney Avenue and Martin Luther King Drive. Tabled-9-0- prior to the close of the public hearing at the 09.10.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Osborne.
- e. Ordinance# 14.109 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance - supplementary zoning as it pertains to height exceptions for rooftop appurtenance. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Osborne seconded by Councilperson Lavarro.
- f. Ordinance# 14.110 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Tidewater Basin Redevelopment Plan to create a mixed use district. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Lavarro seconded by Councilperson Ramchal.
- g. Ordinance# 14.170 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-27 (Angle Parking) of the Jersey City Code designating 30 degree angle parking on the north side of First Street, Marin Boulevard to Provost Street (Back In Parking Only). Tabled-9-0- after the close of the public hearing at the 1.14.15 meeting on a motion by Councilperson Osborne, seconded by Councilperson Coleman.
- h. Ordinance# 15.128 An ordinance amending Chapter 157 (Entertainment Licenses) of the Municipal Code to add Section 12 (Joseph Connors Senior Center) establishing usage regulations for the center. Tabled-7-0- after the close of the public hearing at the 9.24.15 meeting on a motion by Councilperson Coleman, seconded by Councilperson Watterman: Councilpersons Ramchal and Lavarro: absent.

11. DEFERRED OR TABLED AGENDA AS OF FEBRUARY 22, 2017

- i. Ordinance# 15.135 An ordinance amending and supplementing Chapter 4 (Paid Sick Time) of the Jersey City Municipal Code. Tabled-7-0- prior to the close of the public hearing at the 10.14.15 meeting on a motion by Councilperson Watterman, seconded by Councilperson Osborne; Councilpersons Ramchal and Yun: absent.
- j. Ordinance# 15.162 Ordinance implementing Chapter 2 (Regular Municipal Elections) to change the date of the regular Municipal Elections from the second Tuesday in May to the Day of the General Elections in November. Tabled-9-0- prior to the close of the public hearing at the 11.24.15 meeting on a motion by Councilperson Coleman, seconded by Councilperson Ramchal.
- k. Ordinance# 15.177 Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article VI (Parking Facilities Operated by Division of Parking Enforcement) of the Jersey City Municipal Code. (Booting). Tabled-9-0- prior to the close of the public hearing at the 01.13.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Osborne.
- l. Ordinance# 16.012 Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article VI (Parking Facilities Operated by Division of Parking Enforcement) of the Jersey City Municipal Code (Booting). Tabled-9-0- prior to the close of the public hearing at the 01.27.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Ramchal.
- m. Ordinance# 16.027 An ordinance amending Chapter 222 (Noise) repealing Article 1 (Noise Restrictions) and adopting revisions to local noise-control regulations recommended by the New Jersey Department of Environmental Protection. Tabled-9-0- prior to the close of the public hearing at the 02.24.16 meeting on a motion by Councilperson Rivera, seconded by Councilperson Ramchal.
- n. Ordinance# 16.081 Ordinance amending and supplementing Chapter 254 (Property Maintenance) of the Jersey City Municipal Code implementing Article XXII (Building Service Employees) to establish a minimum number of hours in a work week for building service employees. Tabled-7-0- prior to the close of the public hearing at the 05.11.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Coleman; Ramchal & Rivera: absent.
- o. Ordinance# 16.082 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article VI (Department of Administration) of the Jersey City Municipal Code to mandate a transition period for all building services employees. Tabled-7-0- prior to the close of the public hearing at the 05.11.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Coleman; Ramchal & Rivera: absent.